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REPORT OF THE OPEN-ENDED WORKING GROUP ON THE QUESTION OF EQUITABLE REPRESENTATION ON AND INCREASE IN THE MEMBERSHIP OF THE SECURITY COUNCIL AND OTHER MATTERS RELATED TO THE SECURITY COUNCIL*

* The present document is a mimeographed version of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council. The final report will be issued subsequently as Official Records of the General Assembly, Forty-ninth Session, Supplement No. 47 (A/49/47).

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Report on the progress of the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council

I. INTRODUCTION

1. The present report is prepared and submitted in pursuance of decision 48/498 of 14 September 1994, by which the General Assembly took note of the work of the Open-ended Working Group and decided that the Open-ended Working Group should continue its work, taking into account, inter alia, the views expressed at the forty-ninth session, and submit a report to the Assembly before the end of that session.

2. The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council held 11 formal meetings from 16 January 1995 to 15 September 1995. The President of the General Assembly, Mr. Amara Essy, served as Chairman of the Working Group.

3. At its 1st meeting, on 16 January 1995, the Open-ended Working Group appointed Mr. Wilhelm Breitenstein (Finland) and Mr. Nitya Pibulsonggram (Thailand) as Vice-Chairmen of the Working Group. The meeting had before it the suggested list of questions to be addressed by the Open-ended Working Group, dated 9 January 1995, which was prepared by the two Vice-Chairmen of the Open-ended Working Group at the forty-eighth session of the General Assembly, Mr. Breitenstein and Mr. Chew Tai Soo (Singapore). The suggested list is reproduced in document A/49/965. In addition, the Open-ended Working Group had before it a compilation of the views expressed during the general debate and the debate on agenda item 33 at the forty-ninth session of the General Assembly prepared by the Secretariat and reproduced in document A/49/965. These non-papers were initially distributed for the internal use of the Open-ended Working Group only.

II. DISCUSSIONS AND PROPOSALS

4. The Open-ended Working Group also discussed at its 1st meeting the organization of its work and, in accordance with the suggested list of questions, agreed to address two clusters of items, namely, the equitable representation on and increase in the membership of the Security Council (cluster I) and other matters related to the Security Council (cluster II).

5. Between January and March 1995, the Open-ended Working Group held nine formal meetings to discuss the topics in cluster I and cluster II. Between March and September 1995 the Open-ended Working Group held 21 informal consultations on these two clusters, as well as on the structure and content of the report of the Open-ended Working Group.

6. Based on the discussions of the Open-ended Working Group between January and March 1995, and taking into account the views of Member States expressed in the general debate and in the debate on agenda item 33 at the forty-ninth session of the General Assembly, the two Vice-Chairmen prepared two non-papers, the first on cluster I, dated 28 April 1995, and the second on cluster II, dated 15 May 1995. After a number of informal consultations of the Open-ended Working Group, the Vice-Chairmen revised the two non-papers. Updated non-papers entitled "Observations on cluster I", dated 12 July 1995, and "Observations on cluster II", dated 5 July 1995, were initially prepared for the internal use of the Open-ended Working Group only. They are reproduced in document A/49/965.

7. The non-papers on clusters I and II served as rolling documents of the Open-ended Working Group and were intended to facilitate a full exchange of views on the topics in the suggested list of questions. The Open-ended Working Group did not conclude its discussion on the non-papers during the forty-ninth session. Nevertheless, the exchange of views greatly helped to clarify the scope and content of issues addressed by the Open-ended Working Group. The richness and depth of the discussion during the course of the forty-ninth session should provide a good basis for, and facilitate, the future work of the Working Group.

8. The items discussed under cluster I included the following: guiding principles for the expansion of Security Council membership; size and composition of the permanent membership; size and composition of the non-permanent membership; new categories or new types of membership, and the qualifications of and modalities for the selection of members of each of these categories or types; the overall size of the expanded Security Council; voting procedure in the Security Council, including the question of the veto; and the question of periodic review.

9. The items discussed under cluster II included the following: measures taken and practices adopted by the Council to enhance its transparency and working methods and their streamlining, expansion or possible institutionalization; the retention, modification or finalization of the Council's provisional rules of procedure; the briefings by the Council Presidency; the enhancement of mechanisms for information-gathering and analysis; wider consultations with concerned or interested parties; increased consultations between the Council and troop-contributing States; the relationship of the Security Council to other United Nations organs, including the reports of the Security Council to the General Assembly.

10. Written proposals and submissions for the items discussed by the Open-ended Working Group, reproduced in document A/49/965, were made by the following

Member States and groups of Member States: Argentina, Australia, Belgium (on behalf of a number of countries), Belize, Cuba, Indonesia, Italy, Mexico, Singapore, Turkey, the Movement of Non-Aligned Countries and the Nordic countries. A number of proposals were also made in oral statements.

11. The observations and assessment of the two Vice-Chairmen, prepared in their personal capacity, on the progress of work of the Open-ended Working Group during the forty-ninth session are contained in document A/49/965. While expressing its appreciation for the work of the two Vice-Chairmen, the Open-ended Working Group stressed that this document has no legal status, that it does not constitute the position of the Open-ended Working Group, nor does it prejudice the position of any delegation. The Open-ended Working Group stressed that the observations and assessment of the two Vice-Chairmen should not form the sole input for the continuation of the work of the Open-ended Working Group.

12. The Open-ended Working Group further noted that a wide range of other views had been expressed, and various proposals made, during the forty-ninth session, including those contained in the Vice-Chairmen's non-papers referred to in paragraphs 3 and 6 of the present report. Therefore, the Open-ended Working Group should remain seized of the entire range of views and proposals by delegations.

III. CONCLUSIONS

13. The Open-ended Working Group continued its review of the membership of the Security Council and other related matters in view of the substantial increase in the membership of the United Nations, especially of developing countries, as well as the important changes in international relations. Discussions showed that there was agreement to expand the Security Council and to review its working methods and other matters related to its functioning in a way that further strengthens its capacity and effectiveness, enhances its representative character and improves its working efficiency.

14. It was recognized that the principles of the sovereign equality of all Members of the United Nations, equitable geographical distribution and contribution to the maintenance of international peace and security, as well as to the other purposes of the Organization, should guide the work on the reform of the Security Council. The concepts of transparency, legitimacy, effectiveness and efficiency should also be taken into account in this context as should, in the view of a large number of delegations, the concept of democracy.

15. Support was expressed for the proposals that the final agreement on items in clusters I and II should comprise a comprehensive package, that work in the two clusters be allowed to proceed concurrently and that progress in one cluster should not be impeded by lack of progress in the other. Some delegations noted that during the course of the work of the Open-ended Working Group, a number of measures had been implemented and practices developed to improve the transparency and working methods of the Security Council.

16. Discussions also showed that important differences continue to exist on key issues before the Open-ended Working Group, and, therefore, further in-depth consideration of these issues is still required.

IV. RECOMMENDATIONS

17. The Open-ended Working Group, at its 11th meeting, on 15 September 1995, concluded its work for the current session of the General Assembly and decided to recommend that the discussion on this agenda item continue during the fiftieth session of the Assembly, building on the work done in the course of the forty-eighth and forty-ninth sessions. To that end, the Open-ended Working Group recommends to the General Assembly the adoption of the following draft decision:

> The General Assembly, having considered the report on the work of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, 1/ established pursuant to General Assembly resolution 48/26 of 3 December 1993 and General Assembly decision 48/498 of 14 September 1994:
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> (a) Takes note of the report of the Open-ended Working Group;
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> (b) Decides that the Open-ended Working Group should continue its work, taking into account, inter alia, the progress achieved during the forty-eighth and forty-ninth sessions and the views expressed during the fiftieth session of the General Assembly, including the Special Commemorative Meeting of the General Assembly on the occasion of the fiftieth anniversary of the United Nations, and submit a report to the General Assembly before the end of its fiftieth session, including any agreed recommendations.

Notes

1/ Official Records of the General Assembly, Forty-ninth Session, Supplement No. 47 (A/49/47).